

Report Date: December 23, 2010

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTONfor the
Eastern District of Washington

DEC 23 2010

JAMES R LARSEN, CLERK
DEPUTY
WANIMA, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Gabriel Tapia-Fuentes

Case Number: 2:09CR06048-001

Address of Offender: Incarcerated at the D. Ray James Prison, Folkston, GA

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: 10/15/2009

Original Offense: Alien in United States After Deportation, 8 U.S.C. § 1326(b)(2)

Original Sentence: Prison - 10 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Alexander Carl Ekstrom Date Supervision Commenced: 06/18/2010

Defense Attorney: James Stewart Becker Date Supervision Expires: 06/17/2013

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1 **Special Condition #14:** You are prohibited from returning to the United States without advance legal permission from the United States Attorney General or his designee. Should you reenter the United States, you are required to report to the probation office within 72 hours of reentry.

Supporting Evidence: The defendant illegally reentered the United States without permission on or about August 1, 2010.

Information received from the U.S. Immigration and Customs Enforcement, indicates the defendant was deported to Mexico on July 17, 2010, at Hidalgo, Texas, and has not obtained legal permission to reenter the United States.

2 **Mandatory Condition #2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On August 3, 2010, a criminal complaint was filed with U.S. District Court in the District of Arizona, charging the defendant with count 1: illegal re-entry after deportation and count 2: illegal entry, docket number 4:10M02268-001.

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According to the criminal complaint, on August 1, 2010, the defendant was encountered by a border patrol agent near Naco, Arizona.

On August 10, 2010, the defendant appeared before the Court and plead guilty to count 2 of the complaint. The defendant was sentenced to 120 days confinement. It appears count 1 was dismissed pursuant to a plea agreement.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: December 23, 2010

s/Rebecca M. Nichols

Rebecca M. Nichols
Supervising U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other


Signature of Judicial Officer

12/23/10

Date